

REMARKS

Claims 1, 3, 5-14, 26, and 27 are pending in the application. Claims 1 and 12 are currently being amended to correct a typographical error (changing the word “form” to “from”). No new matter is added. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim rejections – 35 USC 102

Claims 1, 3, 5-14, 26, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsuei et al, U.S. Patent Pub. No. 2004/0260653. (Henceforth “Tsuei”). As discussed with at the interview dated October 16, 2007, Applicants have, in a correspondence filed July 9, 2007, already argued against a §102 rejection based on Tsuei. Applicants renew this argument. For example, Applicants note once again that Tsuei defines a hub-and-spoke architecture where a plurality of service providers, or information requestors, are each directly coupled to a central system server, as shown in FIG. 1 of Tsuei. Each of the service providers of Tsuei communicates with the system server over direct communication links; see paragraph 0067 of Tsuei. There is no teaching or suggestion in Tsuei of any communication links between service providers. Tsuei describes the communication between a service provider and the system server at paragraph 0068 in conjunction with FIG. 2, which incorporates the alias method and system 20 of Tsuei. Tsuei goes on to describe that anonymous transaction method and system in succeeding paragraphs. Paragraphs 0074-0091 cited by the examiner describe in detail the operation of the “spoke” communication links to establish an anonymous transaction between a single service provider and the system server. There is no teaching or suggestion of any anonymous communication between any service providers.

In contrast, each of applicants’ independent claims defines buyer information being encrypted and communicated by way of a merchant server to another party to a transaction, under limitations where the merchant server cannot decrypt that buyer information. Thus, there are parties to a transaction (e.g., a “third” and/or “fourth” server) who receive buyer information not from the security server directly, but rather by way of another party (i.e., the merchant

server). This aspect of each of applicants' independent claims 1, 12, 15, 26 and 27 is simply not present in Tsuei, and thus, Tsuei does not provide a proper basis for the §102 rejection. That rejection should be reconsidered and withdrawn.

The Office Action goes on to allege that, as to the arguments found in Applicants' correspondence of July, 11 2007 distinguishing Tsiounis et al., U.S. Pub. No. 20010039355 (henceforth "Tsiounis"):

Applicant argues that the prior art of record fails to disclose Applicants continue to argue that the security server is distinct from the merchant server, [in] that the merchant has more flexibility in his business arrangements than in prior art. However, the Examiner respectfully disagrees with this assertion since this limitations is nowhere to be found in the claims. Furthermore, if the merchant has more flexibility in his business arrangements than in the prior art. [sic] Applicant is advised to explain how so. (Office Action, page 5)

However, as discussed during the interview of October 16, 2007, as currently pending, independent claims 1 and 12 explicitly recite "a security server system distinct from said merchant server system," independent claim 26 explicitly recites "a security server system distinct from said merchant server system and said payment processor server system," and independent claim 27 explicitly recites "said buyer system transmitting buyer information to a security server system distinct from said buyer system." Thus Applicant once again submits that, as defined by all claims, as currently pending, the payment processor system is completely distinct from the security server system

Further, as noted at the interview dated October 16, 2007, Applicants have previously explained that, for example:

[o]ne substantial consequence of the applicants' claimed system and method, where the security server system is distinct from the merchant server system and payment processor server system is distinct from the security server system, is that the merchant has more flexibility in his business arrangements than in the prior art; with the subject invention, the merchant can select a payment processor, such as a bank which is independent from the security entity. This cannot be effected in the prior art, where the security server and payment processor communicate directly without passing through the merchant, leaving the merchant no choice but to work with the payment processor associated with the

security entity. (Applicants' correspondence filed July 11, 2007, paragraph bridging pages 10-11).

Applicants can therefore find no basis for the assertion that they have failed to adequately explain how the merchant has more flexibility in his business arrangements than in the prior art. Thus, Tsiounis does not provide a proper basis for the §102 rejection. Accordingly, that rejection should be reconsidered and withdrawn

Response to Interview Summary

In compliance with MPEP § 713.04, the substance of the interview of October 16, 2007 attended by the examiner and supervising examiner Fischer is described above.

Conclusion

The above amendments are believed to place the application in condition for allowance. For the above reasons, it is submitted that there now is no proper basis for the outstanding §102 rejections. Those rejections should be reconsidered and withdrawn. All pending claims 1, 3, 5-14, 26, and 27 are believed to be in condition for allowance. Passage to issue is requested.

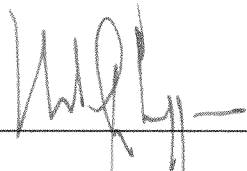
If the Examiner believes there are any outstanding issues to be resolved with respect to the above-identified application, the Examiner is invited to telephone the undersigned at their earliest convenience so that such issues may be resolved telephonically.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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